

# LW.10651.001 / URPL-GP-2670.001 Land Use, Housing and Community Development

# in New York City

# Fall 2021

# Instructor Information

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# **Course Information**

- Class Meeting Times: Mondays (4:20 6:20)
- Class Location: Furman Hall, Room 330

# **Course Description**

This interdisciplinary seminar brings together law, urban planning and public policy students to analyze historic and current trends in affordable housing, community development, land use and housing finance. We use New York City as a laboratory that is both unique from, and similar to, other American cities.

The first three classes lay the foundation for the course. Class 1 provides data to determine whether New York City is exceptional...or not. It also explores the history of public and private racial discrimination in cities, and the tension between policies that support individuals and policies that support places. Classes 2 and 3 review the historical underpinnings of city growth and decline, the definition of the community, the role of prominent personalities in shaping New York City, and Federal housing interventions.

Classes 4 – 7 explore the financial and regulatory systems that shape urban housing and community development in New York City. In Class 4, we will learn about the history of affordable housing programs leading to the current challenges. In order to learn how to address those challenges, in Class 5, we explore project level housing finance as limited by macro housing finance systems. In both Classes 5 and 6, we understand the discriminatory impact of these systems and of the market. This necessarily leads to an exploration of segregation and gentrification. In continuing the analysis of regulatory systems that affect affordable housing development, in Class 7 we will learn about environmental regulation and land use regulation.

In Class 8, we learn about zoning (and inclusionary zoning) as tools to increase housing and to distribute "undesirable land uses" across the city. We apply the lessons of these prior classes to two scenarios in Classes 9 and 10: economic development and the hardest to house. Class 11 then brings all of the in-class learnings together through one case study project that gives us the opportunity to understand community, racial and economic segregation, environmental impact, zoning, economic development and neighborhood change.

We will have a field trip to Harlem and the Bronx on Friday, November 12, to see some of the projects we learned about in class and to meet with community stakeholders.

The final two classes consist of presentation of the group papers. Each group paper topic has been selected to complement the in-class readings and discussion so that by the end of the semester you will have both a broad and deep understanding of Housing, Land Use and Community Development in New York City.

# **Required Readings**

Readings for the class are listed below. One book (Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (1985)) can be purchased at the NYU Bookstore, or a free online version can be accessed through the <u>NYU Library website</u>.

Aside from Crabgrass, the remaining course materials are either available

- 1) on NYU Brightspace (NYUB) under the "Assignments" tab organized in folders by class date;
- 2) where URLs are provided below, directly from the internet; or
- 3) through the NYU Library website at <u>https://library.nyu.edu</u>.

The library readings can be accessed by entering the journal title, selecting one of the databases from the list provided and by searching within the correct year and volume of the journal. To access articles through the NYU Library website from off-campus computers, you will need to enter your NYU NetID and password.

For many assignments, we have created edited excerpts available on NYUB. The syllabus includes the link to the full article but students need only read the excerpted sections.

# **Overview of the Semester**

Mon. 9/6	Class Cancelled for Labor Day
Wed. 9/8	<ul> <li>WEEK 1: Introductions; Course Framework and Recurring Themes;</li> <li>Overview of New York City</li> <li>Last day to drop class (by midnight)</li> </ul>
Fri. 9/10	Submit Paper Topic Preference Sheet to jerry.salama@nyu.edu before noon on 9/10. Paper Topics will be assigned by e-mail on or before 9/12. Group members should begin contacting each other immediately.
Mon. 9/13	WEEK 2: Causes and Consequences of Public Intervention In New York City
Mon. 9/20	WEEK 3: The History of Federal Housing Policy and Grassroots Community Development
Fri. 9/24	Electronic submission of outlines to professors and TA by noon. Sample outline uploaded on NYU Brightspace.
Mon. 9/27	<ul> <li>WEEK 4: New York City Low-Income Housing Policies and Programs</li> <li>Student Presentations of Projects</li> </ul>
Mon. 10/4	Submit revised outlines electronically to professors and TA by 12 noon.
Mon. 10/4	<ul> <li>WEEK 5: Understanding Project-Level Housing Finance and the Impact of U.S. Housing Finance Systems</li> <li>Financial exercise will be available on NYU Brightspace.</li> </ul>
Mon. 10/11	<ul> <li>WEEK 6: Discrimination, Gentrification and Displacement</li> <li>Financial exercise due. Bring two copies to class.</li> <li>Note to Wagner students: Class occurs on Columbus Day.</li> </ul>
Mon. 10/18	WEEK 7: Environmental and Land Use Review Processes of Housing and Economic Development Projects
Fri. 10/22	Submit First Drafts of Paper by 9 a.m. (electronically)
Mon. 10/25	WEEK 8: Zoning, Inclusionary Zoning and Siting of Affordable Housing and Locally-Undesirable Land Uses (LULU's)
Mon. 11/1	WEEK 9: Economic and Community Development Policies and Strategies

#### Mon. 11/8 WEEK 10: Approaches to Housing the Hardest to House

Fri. 11/12 Field Trip (8:30 a.m.)

#### Mon. 11/15 WEEK 11: Affordable Housing Case Study Atlantic Yards

- Wed. 11/17 Papers for 11/22 presentations are due at 9 a.m. on 11/17. Submit electronically to all faculty and students.
- Mon. 11/22 WEEK 12: Student Presentation of Final Papers
- Wed. 11/24 Papers for 11/29 presentations are due at 9 a.m. on 11/24. Submit electronically to all faculty and students.

#### Mon. 11/29 WEEK 13: Student Presentation of Final Papers, continued

# **Detailed Course Overview**

# WEEK 1: Introductions; Course Framework and Recurring Themes; Overview of New York City

- Wednesday, Sept. 8 (Make-up Class) [Class Cancelled Monday 9/6 for Labor Day]
- **Topics:** New York City Today (demographics and background); Framework for Assessing Policy Needs and Opportunities in New York City; Targeting People versus Place; Neighborhood Change and its Effects on Race and Class

## Readings

Schwartz, Housing Policy in the United States (2021): 1-9 in the book; 27-35 of the pdf.

Furman Center for Real Estate and Urban Policy, "State of the City" (2020),

- State of Housing Development: https://furmancenter.org/stateofthecity/view/state-ofhousing-development
- Citywide Data: https://furmancenter.org/stateofthecity/view/citywide-data

City of New York, "Where We Live NYC: Draft Plan" (2020): Section 5.2 (up to "Living Patterns") and Section 5.5 (pages 59-65 and 138-151.

Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (2017): 43-57.

Crane and Manville, "People or Place?," Lincoln Institute (2008), http://www.lincolninst.edu/sites/default/files/pubfiles/1403 719 lla080702.pdf.

### **Discussion Questions for Week 1**

- 1. Based on the data on New York City from the Furman Center, how is NYC similar to and different from other cities or from the United States as a whole? Which statistics surprised you?
- 2. Is the NYC housing market a free market? What elements make up the supply of and demand for housing? What other factors might influence the housing market?
- 3. How did local governments create and maintain racial segregation?
- 4. What are the arguments for helping people versus helping places? Should Congress spend \$18 billion to rebuild Puerto Rico, or write a check to each family affected by the hurricanes? Were stimulus checks and unemployment benefits the optimal ways to provide COVID relief?

### Important Dates

Friday 9/10: Submit Paper Topic Preference Sheet to <u>jerry.salama@nyu.edu</u> before noon. Paper Topics will be assigned by e-mail on or before Sunday 9/12. Group members should begin contacting each other **immediately**.

# WEEK 2: Causes and Consequences of Public Intervention In New York City

- Monday, Sept. 13
- **Topics:** Vision and Impact of Robert Moses and Jane Jacobs on Urban Development; The Mayor's Role; The Urban History of Development in New York City and the Impact of Exogenous Factors of Suburbanization.

### Readings

Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (1985): 116-137 and 157-189.

Jacobs, The Death and Life of Great American Cities (1961): 152-77.

Caro, The Power Broker: Robert Moses and the Fall of New York (1975): 850-85.

NOTE: If you have read Jacobs and Caro before, feel free to skim these sections before class.

## **Discussion Questions**

- 1. Why do cities (and New York City, in particular) exist in the first place? What are the forces that shape their growth and decline? What role did public actions and private market forces play in urban development? And, how did those forces work to create suburbs at the expense of cities?
- 2. Why should we have a policy about housing and community development at all? How much of the urban landscape today is the result of intended consequences of federal housing policies, and how significant are the unintended consequences?
- 3. What were the goals of the Cross-Bronx Expressway project? What constituencies were affected by the decision to build the expressway?
- 4. Why was Robert Moses a force for good in New York City? What are the flaws in Jane Jacobs' vision of NYC?

# WEEK 3: The History of Federal Housing Policy and Grassroots Community Development

- Monday, Sept. 20
- **Topics:** Federal Housing Policy and Subsidy Programs; Public Housing; The Evolution and Attributes of Nonprofit Housing Organizations.

### Readings

Von Hoffman, "Towards a New Vision of Community Development" (2012): 10-37 and 48-54, <u>http://www.frbsf.org/community-development/files/vonhoffman.pdf (PDF pages 1-28, 39-45)</u>.

Jackson, Crabgrass Frontier: The Suburbanization of the United States (1985): 219-230.

Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (2017): 17-24.

Kirschenbaum, "In Nehemiah's Way," City Limits (1994).

HUD Fact Sheet on Public Housing, https://www.hud.gov/topics/rental\_assistance/phprog.

HUD Fact Sheet on Housing Choice Vouchers, <u>https://www.hud.gov/program\_offices/public\_indian\_housing/programs/hcv/about/fact\_sheet</u>.

HUD Fact Sheet on CDBG, <u>https://files.hudexchange.info/resources/documents/About-the-CDBG-Program.pdf</u>.

NMHC/NAA Fact Sheet on LIHTC, <u>https://www.nmhc.org/advocacy/issue-fact-sheet/low-income-housing-tax-credit-fact-sheet/</u>.

### **Discussion Questions**

- 1. What is the rationale for the involvement of the federal government (as opposed to any other level of government) in affordable housing and community development?
- 2. What are the benefits and disadvantages of using community development corporations to implement housing policy? Public Housing Agencies?
- 3. Which housing programs are targeted to increase the supply of housing? Which attempt to influence the demand for housing? Which programs subsidize the cost of the physical plant, and which subsidize the cost of operating affordable housing?
- 4. How significant is urban policy (and housing policy) to the federal policy agenda today? What would it take to make housing a priority for federal dollars?

### Important Dates

Friday 9/24: Electronic submission of outlines to professors and TA by 12 noon. Sample outline uploaded on NYUB.

# WEEK 4: New York City Low-Income Housing Policies and Programs

- Monday, Sept. 27
- **Topics:** New York City History; NYC Housing Program Structures; Current Challenges and Approaches to Housing Programs.

• Student Presentations of Projects—Class presentations will be 10 minutes per group. Students will comment on NYU Brightspace on each group's presentation with contact information and scope suggestions.

### Readings

Schwartz, "New York City's Affordable Housing Plan and the Limits of Local Initiatives," Cityscape: A Journal of Policy Development and Research (2019).

Mahler, Ladies and Gentlemen, The Bronx is Burning (2005): 206-234.

## **Optional Readings**

Directory of New York City Housing Programs, User Guide, Classifying Housing Programs and Program Guide, <u>http://furmancenter.org/coredata/directory/userguide#classifying</u>.

## **Discussion Questions**

- 1. What were the causes of the housing crisis in NYC starting in the 1970's all the way through the 1990's?
- 2. What is the rationale for involvement of local government specifically (as opposed to the federal government as we discussed last week) in affordable housing?
- 3. Aside from choosing between supply and demand subsidies, what other factors should be used in deciding the design of housing programs if you are New York City/Mayor Koch in 1986?
- 4. What conditions have changed drastically since the late 1980's and how do these changes affect the design and structure of New York local housing programs today or the programs in other cities such as Detroit and Newark?

# WEEK 5:

### **Important Dates**

Monday 10/4: Email Revised Outlines electronically to professors and TA by 12 noon.

# Understanding Project-Level Housing Finance and the Impact of U.S. Housing Finance Systems

- Monday, Oct. 4
- **Topics:** Project Pro Formas; Development Budgets; Income/Expense; Public Subsidies; The U.S. Residential Mortgage Finance System and Neighborhood Impacts; Racial Segregation, Income Inequality and the Minority Homeownership Gap as a result of the Macro Finance System
- The Financial Exercise will be available on NYU Brightspace today. It is due in class on Monday 10/11. PLEASE DO THE EXERCISE INDIVIDUALLY— DO NOT CONSULT ANYONE OTHER THAN FACULTY OR THE TA FOR THE EXERCISE.

### Readings

<u>Financial Exercise Assignment</u>: Please read the assignment in conjunction with the next two readings on the syllabus. The submission is not due until Monday, October 11.

Miller and Geltner, *Real Estate Principles for the New Economy* (2005): 289-303 only (for financial exercise).

DeGiovanni, et al., *Bank-Ability: A Practical Guide to Real Estate Financing for Nonprofit Developers* (2014): 1-23 (for financial exercise).

Jackson, Crabgrass Frontier: The Suburbanization of the United States (1985): 203-218.

Scott, "Inequality by Design: How Redlining Continues to Shape our Economy," Marketplace, April 16, 2020.

https://www.marketplace.org/2020/04/16/inequality-by-design-how-redlining-continues-to-shapeour-economy/

Duca, "The Subprime Mortgage Crisis," Federal Reserve History (2013).

Squires, "Segregation as a Driver of Subprime Lending and the Ensuing Economic Fallout," (from Silverman and Patterson, *Fair Housing in the United States* (2011)): 277-280.

Ellen, de la Roca, and Steil, *Black and Latino Segregation and Socioeconomic Outcomes*, Furman Center (2015).

### **Discussion Questions**

- 1. What factors would you consider as a borrower or lender for financing an affordable housing project?
- 2. Why is there a separate system of construction financing versus permanent financing?
- 3. What aspects of the US housing finance system resulted in segregated neighborhoods and inequality of wealth by race and ethnicity?
- 4. What are the positive and negative consequences of racial and economic segregation in New York City?

# WEEK 6: Discrimination, Gentrification and Displacement

- Monday Oct. 11
- **Topics:** Discrimination, Gentrification and Displacement—Causes, Consequences and Cures
- FINANCIAL EXERCISE DUE TODAY. Bring one printed copy of your answer to the financial exercise to class for joint review and one printed copy to submit to the Professor.

Readings

<u>MHANY Management, Inc. v. County of Nassau</u>, 819 F.3d 581 (2d Cir. 2016) (edited excerpt on NYU Brightspace).

"President Biden Issues Executive Order Directing HUD to Review Fair Housing Act Disparate Impact Rule."

https://www.jdsupra.com/legalnews/president-biden-issues-executive-order-2351672/

Been, "Gentrification, Displacement and Fair Housing," (from Steil, et al., *Furthering Fair Housing: Prospects for Racial Justice in America's Neighborhoods* (2021)).

There Went the Neighborhood podcast Season 1, (2016) https://www.wnycstudios.org/podcasts/neighborhood/episodes/episode-9-debrief

Ellen and Torrats-Espinoza, "Does Gentrification Further Integration," Housing Policy Debate 29-5 (2018): 835-848.

### **Discussion Questions**

1. How did de jure and de facto discrimination express itself in MHANY?

2. What is the role that personal and market preference play in residential segregation in NYC?

Is it ever appropriate to include "neighborhood character" in policy decisions?

3. What is the harm of gentrification? What are the benefits?

4. What is the remedy for the harms of segregation? For gentrification?

# WEEK 7: Environmental and Land Use Review Processes of Housing and Economic Development Projects

- Monday, Oct. 18
- **Topics:** City Environmental Quality Review (CEQR) Process and Uniform Land Use Review Process (ULURP) of Housing and Economic Development Projects.

## Readings

Salama, Schill, and Springer, *Reducing the Cost of New Housing Construction in New York City*, Furman Center for Real Estate & Urban Policy (2005): 49-57 (Chapter 6: Environmental Regulation), <u>http://furmancenter.org/files/publications/NYCHousingCost2005.pdf</u>. PDF pages 66-74.

SEQRA Excerpts (on NYU Brightspace):

1. Article 78, NYS Civil Practice Law and Rules.

2. New York Environmental Quality Review Procedure, Part 617, NYS General Regulations (edited version).

Chinese Staff and Workers Association v. City of New York, 68 N.Y.2d 359 (1986).

Sandora v. City of New York, 2017 N.Y. Misc. LEXIS 3723 (S. Ct. Queens Cty. 2017).

Salama, Schill, and Springer, *Reducing the Cost of New Housing Construction in New York City*, Furman Center for Real Estate & Urban Policy, (2005): 59-67 (Chapter 7: Zoning Regulation and Land Use Review Process),

http://furmancenter.org/files/publications/NYCHousingCost2005.pdf\_PDF pages 76-84.

NYC Land Use Excerpts (on NYU Brightspace):

- 1. Article 20, NYS General City Law.
- 2. Outline Summarizing New York City Charter, Section 197-c.

### **Discussion Questions**

- 1. Imagine that you are a developer (non-profit or for-profit). Prior to proceeding to the environmental or land use review processes, what other types of analysis must you perform in order to develop a new housing or community development project?
- 2. What triggers an environmental review under SEQRA (or CEQR) and is the definition of the term "environment" in the SEQRA regulations, as applied by the <u>Chinatown Staff and</u> <u>Workers</u> court, intuitive?
- 3. Under the SEQRA regulations, what are the potential types of "outcomes" of the environmental review of a proposed project and what are the potential "findings"? Must an agency or developer abandon a proposed project if it will have significant environmental impacts?
- 4. Given the abuses and misuses of SEQRA as illustrated in the <u>Sandora</u> case, which alternative environmental regulation regimes would you recommend?
- 5. Why is there a separate land use review process known as ULURP in addition to the extensive environmental review process? What triggers ULURP review?

### **Important Dates**

Friday 10/22: Submit First Drafts of Paper by 9 a.m. (electronically via email to the professors and to Zoe)

# WEEK 8: Zoning, Inclusionary Zoning and Siting of Affordable Housing and Locally-Undesirable Land Uses (LULU's)

- Monday, Oct. 25
- **Topics:** Zoning and Rezoning as a Land Use Tool; Impact of Inclusionary Zoning Regimes; Siting of Affordable Housing, Homeless Shelters and Locally Undesirable Land Uses (LULU's); Fair Share Criteria.

## Readings

Furman Center for Real Estate & Urban Policy, *How Have Recent Rezonings Affected the City's Ability to Grow?* (2010): 1-14 of the PDF,

http://furmancenter.org/files/publications/Rezonings Furman Center Policy Brief March 2010. pdf. Burchell and Galley, "Inclusionary Zoning: A Viable Solution to the Affordable Housing Crisis?" Pages 15-24 only of the pdf document (2000): 15-24 of the PDF, http://www.planningcommunications.com/housing/nhc\_inclusionary\_zoning\_viable\_solution.pdf.

<u>Cal Building Industry Assn v San Jose</u>, 351 P.3d 974 (Cal. 2015): "California Supreme Court Upholds Residential Inclusionary Zoning Ordinance," Harvard Law Review, <u>https://harvardlawreview.org/2016/03/california-building-industry-assn-v-city-of-san-jose/</u>.

Association for Community Reform Now v. Bloomberg, 824 N.Y.S.2d 752, (N.Y. Sup. Ct. 2006).

Ocean Hill Residents Assn v. City of New York, 33 Misc. 3d 792 (N.Y. Sup. Ct. 2011).

Queens Resident United v. City of New York, 2021 NY Slip Opinion 31334 (N.Y. Sup. Ct. 2021).

## **Discussion Questions**

- 1. What is the geographical impact of rezoning over the last ten years in the development of housing and affordable housing?
- 2. What are the advantages and disadvantages of Inclusionary Zoning in creating affordable housing, especially the risks and opportunities of Mayor de Blasio's mandatory IZ program?
- 3. How do you compare NYC's "mandatory" IZ which only applies to new buildings in areas that have been upzoned to "mandatory" IZ in San Jose?
- 4. Did the plaintiffs in the <u>ACORN</u> case make any substantive claims or objections through the ULURP process that could not have been handled through the CEQR review?
- 5. By contrast, is the City's process for siting a homeless shelter in the <u>Ocean Hill</u> case just a subterfuge to bypass the ULURP process in a low-income minority neighborhood?
- 6. Contrast the application of the Fair Share Criteria in the <u>Ocean Hill</u> and <u>Queens Resident</u> cases. Do you believe these cases were correctly decided?

# WEEK 9: Economic and Community Development Policies and Strategies

- Monday, Nov. 1
- **Topics:** Attracting Economic Development Opportunities to Low-income and Minority Communities; Economic Development Strategies and the use of Incentives; Initiatives for Human Capital through Job Training and Workforce Development; Obstacles to Commercial and Retail Development.

# Readings

Porter, "Inner City Economic Development: Learnings from 20 Years of Research and Practice," Economic Development Quarterly 30-2 (2016): 105–116.

Berrebi, Fisher & Quinn, "Community Economic Development Policy in the Aftermath of Amazon."

Chen, "When Workplace Training Programs Actually Hinder Workers," The Nation (August 25, 2014), <u>https://www.thenation.com/article/when-workplace-training-programs-actually-hinder-workers/</u>.

Pavetti, "Opportunity-Boosting Job Preparedness Takes Significant Investment, Evidence Shows," Center on Budget and Policy Priorities (April 12, 2018), <u>https://www.cbpp.org/research/poverty-and-inequality/opportunity-boosting-job-preparedness-takes-significant-investment</u>.

Armstrong, Been, and Salama, "Promoting Synergies Between Retail Development and Affordable Housing," NYU Furman Center (2008): Excerpt, page 1-19.

## **Discussion Questions**

- 1. What is meant by "economic development" and what goals would a City seek to achieve in having a policy to foster economic development in low-income communities?
- 2. Porter analyzes the obstacles to attracting new job-creating businesses into low-income neighborhoods and highlights the advantages which these communities should accentuate. Critique Porter's advocacy of relying on the private sector to deliver economic development benefits.
- 3. What strategies and policies can a City use to foster economic development? What are the trade-offs between as-of-right versus discretionary incentives to attract economic development?
- 4. Which aspects of job training programs seem to be the most successful in improving life outcomes for low-income people?
- 5. What are the obstacles to attracting retail enterprises to underserved low-income neighborhoods?

# **WEEK 10:** Approaches to Housing the Hardest to House

- Monday, Nov. 8
- **Topics:** Homelessness—Causes and Cures; The NYCHA Saga, The Resident Role in Operations, The "new" racially restrictive covenants.

### Readings

Coalition for the Homeless, <u>State of the Homeless opens in new window</u> (2021): 1-8 (Executive Summary and the State of Homelessness).

Corinth, "Four Charts that Expose the Invisible Side of Homelessness opens in new window," AEIdeas Public Policy Blog (2014).

<u>United States of America v. New York City Housing Authority</u>, No. 1:18-cv-05213-WHP (SDNY Nov. 14, 2018): pages 1-6 (only up to B. Mold).

Quarterly Report of the NYCHA Federal Monitor opens in new window, Introduction and Part I (pages 1-5 only).

NYCHA Press Release – October 14, 2021.

Priscilla A. Ocen, "<u>The New Racially Restrictive Covenant: Race, Welfare, and the Policing of</u> <u>Black Women in Subsidized Housing opens in new window</u>," 59 UCLA L. Rev. 1540 (2012) (edited).

### **Optional Readings:**

NYCHA 2.0 plan: Invest to Preserve opens in new window (pages 4-12 only)

Victor Bach Testimony on PACT and RAD opens in new window (2021)

#### **Discussion Questions**

- 1. Does permanent housing "solve" homelessness? Why or why not?
- 2. Currently, victims of domestic violence, intimidated witnesses and working families have priority for newly available NYCHA units and vouchers. Should homeless families and individuals have the highest priority for public housing and Housing Choice vouchers?
- 3. What role should residents play in NYCHA policy and implementation?
- 4. Does Ocen's "new" racially restrictive covenant also apply to unhoused people and residents of public housing? What policies are needed to protect residents from these covenants?

### Important Dates

Friday 11/12: Field Trip (8:30am)

# WEEK 11: Affordable Housing Case Study: Atlantic Yards

• Monday, Nov. 15

### Reading

This week the reading is a case study of the Atlantic Yards development, prepared for this class by a former student and available on Brightspace. The case study applies learnings from the entire semester, including

- 1. Identifying the community;
- 2. Considering the appropriate public intervention;
- 3. Weighing the costs and benefits of the project;
- 4. Analyzing how the project handled eminent domain, CEQR, ULURP, and zoning;

- 5. Identifying how the City and State coordinated their interventions at the site;
- 6. Analyzing how the court handled the voluminous litigation affecting the project; and
- 7. Analyzing the success of the project.

In order to guide your review of the case study, we have 18 questions about the case (see pages 45-47). We will assign each class member a question to answer as the lead, but everyone will be expected to contribute to the discussions.

### **Optional Reading**

Newman, "How a Once-Loathed Brooklyn Arena Became a Protest Epicenter," N.Y. Times (June 16, 2020), <u>https://www.nytimes.com/2020/06/16/nyregion/barclays-center-protests.html</u>.

### Important Dates

Wednesday 11/17: Papers for 11/22 presentations are due at 9 a.m. on 11/17. Submit electronically to all faculty and students.

Wednesday 11/24: Papers for 11/29 presentations are due at 9 a.m. on 11/24. Submit electronically to all faculty and students.

# WEEKS 12 & 13: Student Presentation of Final Papers

• Mondays Nov. 22 & 29